

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

The specification has been amended on pages 1 and 3.

Claims 1, 8, 10, and 11 have been amended, and new claims 12-17 have been added.

After amending the claims as set forth above, claims 1-17 are now pending in this application.

### **Rejection Under 35 U.S.C. § 112**

Claims 1 and 8-11 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly incomplete for omitting essential structural cooperative relationships or elements. Although Applicants disagree with this rejection, claims 1 and 10 have been amended to recite “a single-unit, integrated charge-air and coolant radiator.” Applicants respectfully submit that this language overcomes this rejection and that this language is supported by Applicants’ disclosure. For example, Figures 1, 3, 7 and page 5, lines 12-32, of the specification provide support for this language. Reconsideration and withdrawal of this rejection is respectfully requested.

### **Rejections Under 35 U.S.C. § 102**

Claims 1 and 3 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,176,630 to Elmer (hereafter “Elmer”). This rejection is respectfully traversed.

Amended claim 1 recites a circuit arrangement, comprising a low temperature coolant circuit configured to cool charge air in a motor vehicle having a supercharger, a single-unit, integrated charge-air and coolant radiator, and a temperature sensor provided at a coolant outlet of the radiator or at a short distance downstream, wherein the temperature sensor is configured to measure a coolant outlet temperature. Claim 3 depends from claim 1.

Elmer discloses a system that includes a radiator 17 for cooling the coolant of an engine 10 and an air cooler 13 for cooling compressed air supplied to the engine 10. See col. 2, lines 24-44, of Elmer. The system also includes a sensor 29 located in a return flow passage 19 for the engine coolant. See col. 2, lines 45-62, of Elmer.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Col. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131. Elmer does not disclose “a single-unit, integrated charge-air and coolant radiator,” as recited in claim 1, because although the air cooler 13 of Elmer cools compressed air, the air cooler 13 is not also a radiator for a coolant. Nor does the radiator 17 of Elmer act as a radiator for charge-air or a coolant that is used to cool charge air. Therefore, Elmer does not disclose “a single-unit, integrated charge-air and coolant radiator,” as recited in claim 1.

Furthermore, Elmer does not disclose a temperature sensor provided at a coolant outlet of the radiator or at a short distance downstream, as recited in claim 1, because the sensor 29 is located in a water passage for an engine, not at an outlet for a coolant used to cool a charge-air radiator, or at a short distance downstream.

Applicants submit that Elmer does not anticipate claims 1 and 3 for at least the reasons discussed above. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1, 2, 6, and 9-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,353,757 to Susa *et al.* (hereafter “Susa”). This rejection is respectfully traversed.

Susa discloses a cooling apparatus 1 that includes a radiator 5 for dissipating heat from an engine coolant and for dissipating heat from an intercooler 4 that cools air compressed by a supercharger 2. See col. 4, lines 60-66, of Susa. The apparatus includes a thermostat 18 that is located near the engine, as shown in Figure 1 of Susa. See col. 5, lines 34-42, of Susa.

However, Susa does not disclose “a single-unit, integrated charge-air and coolant radiator,” as recited in claims 1 and 10. Nor does Susa disclose a temperature sensor provided at a coolant outlet of the radiator or at a short distance downstream, as recited in claims 1 and 10, because the thermostat 18 of Susa is located near the engine, as shown in Figure 1 of Susa. Therefore, Susa does not anticipate claims 1, 2, 6, and 9-11. Reconsideration and withdrawal of this rejection is respectfully requested.

### **Rejections Under 35 U.S.C. § 103**

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Susa in view of U.S. Patent No. 6,679,431 to Mathew *et al.* (hereafter "Mathew"). This rejection is respectfully traversed. Mathew fails to remedy the deficiencies of Susa discussed above in regard to independent claim 1, from which claims 4 and 5 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Susa in view of U.S. Patent No. 4,317,439 to Emmerling (hereafter "Emmerling"). This rejection is respectfully traversed. Emmerling fails to remedy the deficiencies of Susa discussed above in regard to independent claim 1, from which claim 8 depends. Reconsideration and withdrawal of this rejection is respectfully requested.

### **New Claims**

New claims 12-17 have been added. Claims 12-14 depend from claim 1 and claims 15-17 depend from claim 10. Claims 12-17 are allowable over the prior art for at least the reasons discussed above and for their respective additional recitations. For example, although Mathew discloses a thermostat housing for mounting on an engine (see col. 1, lines 8-9, of Mathew), Mathew does not disclose or suggest a temperature sensor that is integrated with the coolant outlet of the radiator, as recited in claims 12 and 15. Therefore, it would not have been obvious to modify the arrangement of Susa by the teachings of Mathew to provide the method or circuit of claims 12 and 15.

### **CONCLUSION**

Applicants submit that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to

charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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